

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

JEANETTA BULLOCK, et al.,

Plaintiffs,

v.

CIVIL ACTION NO. 2:10-cv-00858

TROOPER SEACRIST, et al.,

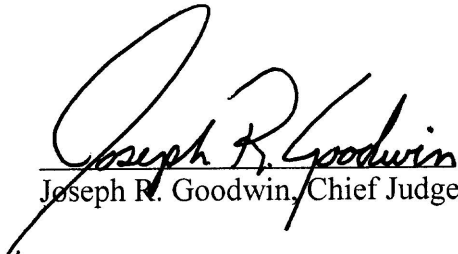
Defendants.

ORDER

Pending before the court is an application by defendant Trooper Seacrist to stay these proceedings during his military service [Docket 22]. This action was removed to this court by the other two defendants in the case on June 22, 2010. Because Trooper Seacrist was apparently not served with process in state court, he did not join in the notice of removal. Recently, on March 10, 2011, Trooper Seacrist was served with process issued by this court. In order for the court to satisfy itself that its jurisdiction is implicated by a proper removal, however, Trooper Seacrist must join in the notice of removal within thirty days of when he was served with process. *See Barbour v. Int'l Union*, __ F.3d __, No. 08-1740, 2011 WL 242131, at *11-12 (4th Cir. Jan. 27, 2011) (en banc). Accordingly, Trooper Seacrist should indicate whether he joins the notice of removal by **April 11, 2011**. In addition, the plaintiff shall file any response to Trooper Seacrist's application for a stay of these proceedings by **April 11, 2011**.

The court **DIRECTS** the Clerk to send a copy of this written opinion and order to counsel of record and any unrepresented party.

ENTER: March 29, 2011



Joseph R. Goodwin, Chief Judge